

**ADDITIONAL VIEWS OF
CHAIRMAN JOHN D. ROCKEFELLER IV, SENATOR RON WYDEN,
SENATOR BAYH, AND SENATOR WHITEHOUSE**

The Committee's report on the Intelligence Community's pre-war assessments on post-war Iraq reveals that there was a steady flow of cautionary judgments sent to senior policy officials in the Bush Administration warning that securing the peace in Iraq would be difficult and success uncertain.

The most chilling and prescient warning from the Intelligence Community prior to the war was that the American invasion would bring about instability in Iraq that would be exploited by Iran and al-Qa'ida terrorists.

Iran's role in providing lethal assistance to insurgents has directly led to the deaths of American military personnel and Tehran continues to work behind the scenes to undermine the Baghdad government and allied reconstruction efforts.

America's prolonged presence in Iraq, the Intelligence Community correctly assessed, has allowed al-Qa'ida and other terrorist groups to take advantage of the security vacuum in-country and to increase their attacks against Americans with deadly results.

Prior to sending troops to Iraq, the Bush Administration promoted the terrorist nexus between Iraq and al-Qa'ida (and the attacks of 9/11) as a central part of its case to the American people that Iraq posed an imminent threat that only military action could extinguish, despite the Intelligence Community's view that Iraq and al-Qa'ida viewed each other with suspicion and were not operationally linked.

What the Administration also kept from the American people were the sobering intelligence assessments it received at the time warning that the post-war transition could allow al-Qa'ida to establish the presence in Iraq and opportunity to strike at Americans it did not have prior to the invasion.

The tragic consequences of the Administration's unwillingness to heed the pre-war judgments of the Intelligence Community are not limited to the borders of Iraq. Intelligence assessments that a U.S.-led defeat and occupation of Iraq would fuel anti-Western Islamist extremism and be used by terrorist groups as a propaganda tool to engender support and build their ranks have been proven out. So too has the following January 2003 Intelligence Community judgment:

Al-Qa'ida – which has not given up its fight in Afghanistan – probably would try to step up its efforts to re-establish its presence there while the United States was diverted with concerns in postwar Iraq.

The wide-distribution of these pre-war Intelligence Community assessments within the White House, the Office of the Vice President, the National Security Council, and the Departments of Defense and State (Appendix D of the report) removes any doubt that these warnings were received at the highest levels of the Administration.

The Committee is unable to answer the question as to whether the President personally was presented with the Intelligence Community's informed judgments about the factors that could prevent success from being achieved in Iraq. What can be said with greater certainty is that these pre-war cautions were marginalized if not ignored by an Administration set on going to war.

In doing so, the Bush Administration once again demonstrated its practice of cherry-picking intelligence reports and assessments that supported policy objectives and denigrating or dismissing those which did not.

This practice of misusing intelligence is not an academic matter. It is a matter of life, death, and the security of our Nation. These and other missteps of the Bush Administration have led to increased violence in Iraq, a resurgent al-Qa'ida in Afghanistan, and a worsening spread of anti-American extremism around the world.

Additional Views of Senator Dianne Feinstein

I voted to support the Phase II report, “Prewar intelligence assessments about postwar Iraq” for what it contains. Unfortunately, what the report *does not* contain is even more important. I believe that the report could have, and should have, been much stronger and more direct on the quality and use of prewar intelligence.

In particular, the report should have included a conclusion that the quality of the prewar assessments was generally high and that many of the predictions made by the Intelligence Community (IC) about postwar Iraq proved to be correct. There should also have been a conclusion that although policymakers had access to these assessments – as well as additional assessments conducted during the combat phase of the war and immediate aftermath – they failed to take steps to prevent or lessen postwar challenges.

What the Report Says

The primary value that this report adds is that it releases declassified versions of the two coordinated intelligence assessments conducted before the March 19, 2003, invasion of Iraq (these Intelligence Community Assessments, or ICAs, are Appendices A and B to the Committee’s report). Readers will be able to determine for themselves whether the Intelligence Community provided reasonable and accurate predictions of the postwar situation and, more importantly, warnings about the challenges that lay ahead. Coupled with the distribution lists for the ICAs, contained in Appendix D, the public will be able to understand how policymakers at the White House, the Pentagon, and the State Department who received the ICAs incorporated (or failed to incorporate) the intelligence into their postwar plans.

The “conclusions” presented in the report only serve to summarize the judgments made in the two ICAs. The Committee, in fact, has not done any analysis or *concluded* anything. This is in stark contrast to the July 2004 “Phase I” report and the two prior Phase II reports in which the Committee studied the facts and rendered its own judgments.

I am troubled that, even after analysis was removed from the report in an effort to forge unanimous support, a significant portion of the Committee's members did not support the final product.

Quality and Accuracy of Intelligence

In the 26 months since its February 12, 2004 decision to write this report, the Committee has reviewed scores of prewar assessments on postwar Iraq and conducted numerous interviews with intelligence officials, analysts, and customers. Separately, elements of the IC have produced hundreds, if not thousands, of reports on the security and stability of postwar Iraq. In short, the Committee has ample information available to draw upon in order to make conclusions about the quality and accuracy of the prewar assessments about postwar Iraq.

Therefore, the first conclusion I submit in these additional views has to do with the accuracy of prewar assessments and the quality of the underlying intelligence tradecraft.

Additional Conclusion 1: Quality and Accuracy of Analysis

The Intelligence Community produced and disseminated numerous assessments and predictions on the postwar environment prior to Operation Iraqi Freedom, both in response to requests from across the U.S. Government and at its own initiative. These prewar assessments generally followed sound tradecraft and provided important and timely warnings about the difficulties in the postwar period of establishing a cohesive, democratic government and of avoiding significant levels of violence in Iraqi society. To a large extent, these assessments were borne out in actual postwar developments, as described by the December 2006 Iraq Study Group Report and the January 2007 National Intelligence Estimate – in striking contrast to what the Committee found when comparing prewar analysis of Iraqi weapons of mass destruction with postwar findings.

I fully agreed with the Committee's first Iraq intelligence report, in which we found that the WMD intelligence was both bad and wrong. That is, it was the result of flawed intelligence analytic tradecraft (bad) and also reached the wrong conclusions – that Saddam had and was developing

WMD (wrong). It is thus important to note that the prewar assessments on postwar Iraq, which were done during the same period as the disastrous October 2002 Iraq NIE, were generally good and right.

This conclusion is shared by the “Kerr Study Group,” named for its head, former Deputy CIA Director Kerr. The Group’s report noted, “Intelligence produced prior to the war on a wide range of other issues [other than WMD] accurately addressed such topics Indeed, intelligence assessments on post-Saddam issues were particularly insightful. These and many other topics were thoroughly examined in a variety of intelligence products that have proven to be largely accurate.”¹

I would draw readers’ attention to the conclusions in the Committee’s report, each of which summarizes the IC’s assessments on a particular topic prior to the war. Even though the assessments were not informed by intelligence collection, the IC’s judgments on democracy, terrorism, domestic conflict, political Islam, Iran’s views and actions (both as they pertain to Iraq and to WMD), and security have been borne out by events.

The most important judgment was exactly right – that building “an Iraqi democracy would be a long, difficult and probably turbulent process.”

In short, the Intelligence Community presented a reasonable and compelling picture of the host of difficulties the U.S. would face after deposing Saddam Hussein. This point should not be left unstated.

Use of Intelligence

A more troubling aspect of prewar assessments on postwar Iraq was the extent to which they were ignored by policymakers. Again, this area stands in marked contrast to the prewar experience on Iraq WMD. The President, Vice President, and Cabinet leaders pored through the intelligence on Iraq’s weapons of mass destruction and regularly used the intelligence to support public statements. In the rare occasion that Administration officials addressed the postwar environment, their statements tended to ignore or directly contradict the IC’s views.

¹ *Studies in Intelligence*, on July 29, 2004, 48. (Richard Kerr, et al, *Collection and Analysis on Iraq: Issues for the US Intelligence Community*, July 29, 2004, Vol. 49, No. 3.)

Moreover, major policy decisions, including the number of troops needed after the initial combat phase and the extent of de-Baathification in the government and security forces, flatly ignored the assessments and recommendations of intelligence officials. Similarly, intelligence recommendations to actively engage Iraq's neighbors, especially Iran, in the postwar period were dismissed. These are the basis for the second conclusion I propose:

Additional Conclusion 2: Use of Intelligence

The Committee has seen no evidence that government officials and decisionmakers appropriately considered and prepared for the difficulties in the postwar environment that were predicted by the Intelligence Community. The failure to act on this intelligence is a key contributing factor to the current situation in Iraq.

In the absence of Committee discussion on this matter, I wish to associate myself with the findings of the two "internal" reviews of prewar intelligence:

First, the Kerr Study Group wrote that "Intelligence projections in this area [analysis of post-Saddam Iraq], however, although largely accurate, had little or no impact on policy deliberation."²

Second, the report from the DCI-directed study of lessons learned noted that "Intelligence assessments on postwar political, security, and economic issues were not effectively exploited. Analysts deferred some needed work on irregular Iraqi units and in-depth study of some postwar challenges due to lack of personnel. Assessments that indicated that the war's aftermath could be difficult or costly were largely ignored."

The DCI Lessons Learned report went on to say that "Intelligence Community assessments and recommendations on problematic postwar issues had little impact on transition planning. A variety of interagency discussions and Intelligence Community assessments during 2002-03 identified potential postwar problems in Iraq. However, these assessments

² *Studies in Intelligence*, on July 29, 2004, 48. (Richard Kerr, et al, *Collection and Analysis on Iraq: Issues for the US Intelligence Community*, July 29, 2004, Vol. 49, No. 3.)

failed to capture policymakers' attention."³

I am pleased that the Committee has completed this aspect of its Phase II investigation and will allow the public to reach their own informed judgments on the quality and accuracy of prewar assessments on postwar Iraq. The use of these assessments – or better put, the lack of use of them – to determine policy in the postwar period is self-evident. It is disappointing that the Committee did not address these issues in the underlying report.

³ *The DCI's Report on Intelligence Lessons Learned from Military Actions in Iraq*, 11 February 2005, iv.

**MINORITY VIEWS OF VICE CHAIRMAN BOND JOINED BY
SENATORS WARNER, HATCH, AND BURR**

On July 9, 2004, the Senate Select Committee on Intelligence released its unanimous report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq, now referred to as Phase I. The Phase I report outlined the findings of the Committee's year long inquiry in extensive detail, which provided needed information to the Congress, the Administration, the Intelligence Community, and the public about how the intelligence on weapons of mass destruction in Iraq was flawed so deeply. The report also provided conclusions which offered insights and guidance that led the way toward needed intelligence reform. The report was a major accomplishment, coming at a time of increasingly divisive partisan rancor about the Iraq war and intelligence related to Iraq, yet it managed to draw unanimous support and provided meaningful oversight. We believe that the Committee's Phase I report was necessary, thorough and instructive for the Intelligence Community, and we believe that it was conducted in a completely bi-partisan fashion.

Unfortunately, the "Prewar Assessments About Postwar Iraq" report released today as part of "Phase II" of the Committee's investigation does not meet the standard set by the Committee's Phase I inquiry. While we are happy that the release of this report has put the Committee one step closer to finally ending Phase II and to moving on to more pressing issues of intelligence oversight, we are disappointed with the content of the report itself. The Committee staff worked diligently in an attempt to narrow the Committee's differences, and both sides made numerous accommodations and compromises in an effort to achieve an accurate and meaningful report that both sides could support. In the end, however, producing a report that could reflect all of the members' views without alienating some proved too challenging. The Phase II inquiry has become too embroiled in politics and partisanship to meet this challenge. Unfortunately, this vindicates the views of those of us who voted to conduct Phase II only as an accommodation to certain Committee members but who believed that it was a bad idea to begin with.

We firmly believe that the work of this Committee should be focused on improving our Intelligence Community and holding it accountable so that the American people receive the best protection possible from the myriad of threats we face today. We do not see how the Phase II investigation is

accomplishing these goals. Due to the partisan nature of Phase II, we believe that the Committee should quickly conclude this nearly four year investigation which has bogged us down and move on to more pressing matters of intelligence oversight. Our enemies will not wait while we take time to use subjective arguments based on cherry-picked intelligence for political gain. In the case of this report, it was near completion in November of last year when with the change in majority of the Committee placed the report on hold. The Committee then rewrote and significantly abridged the report, and now seven months later we are releasing it. There are still two remaining reports that the Committee has not acted on, and we urge the Committee to complete them or to deem them completed (particularly in regard to those matters being investigated extensively in open forum by other Senate Committees), as soon as possible so that we can return to meaningful and productive intelligence oversight.

We had many concerns about this report, some of which we were willing to set aside in the spirit of compromise. One of our concerns, for example, was that we believe this report exaggerates the significance of the Intelligence Community's prewar assessments about postwar Iraq. Because collected intelligence reporting did not play a significant role in developing these assessments, they were based largely on the regional and country expertise of intelligence analysts and outside experts. As a member of the Kerr study group described it, "it's speculation based on informed analysis." While the Intelligence Community's assessments on post-war Iraq likely served as useful tools for policy makers and military planners, it was only one of several useful tools available to them. Other tools included outside academics and experts, media reports, and policy makers' and military planners' own education and experience. The lack of a unique intelligence fact base behind the Intelligence Community's assessments means they were no more authoritative than the many other educated opinions that were available in the same time frame.

The chief author of the two Intelligence Community Assessments (ICAs), *Principal Challenges in Post-Saddam Iraq* and *Regional Consequences of Regime Change in Iraq* (contained in Appendices A and B of this report), testified before the Senate Intelligence Committee in October 2002 that when it came to predicting the development of democracy in Iraq, the lack of intelligence reporting meant that the members of the Senate Intelligence Committee "who know from first-hand experience what it takes to make our democracy work, probably have at least as much basis for

trusting your judgment on such things as those of us who are intelligence analysts have for trusting ours.” We agree, and believe that this principle also extends to other disciplines relevant to post-war Iraq, such as military and economic matters.

We also believe that the structure of the report is inadequate. The report is composed of a five page introduction, followed by six pages of conclusions, with several appendices. None of the sections, not even the conclusions, offer any investigative insights. Rather, they merely restate select portions of the Intelligence Community’s analysis in two of the Intelligence Community’s assessments about postwar Iraq. Since the “conclusions” are immediately followed in the report by the two assessments, which were largely declassified, it is unclear what purpose the conclusions serve.

We requested that the conclusions provide some value to the reader by offering the Committee’s judgments regarding whether the Intelligence Community’s assessments were accurate or inaccurate. We proposed that each conclusion discuss the accuracy of the Intelligence Community’s judgments and proposed the following introductory conclusion:

The Intelligence Community outlined a range of potential challenges an occupying force would likely face in postwar Iraq and in the region, many of which have occurred in Iraq. Some assessed challenges did not occur or occurred in ways that differed from the assessments. For some assessments, even five years into the Iraq conflict, it remains too early to determine the ultimate end result. The Intelligence Community faced a challenging task in attempting to assess likely events in postwar Iraq, events that would depend, in part, on the events of the war itself that would be driven by the actions of the US military and 26 million Iraqis. The Intelligence Community also lacked intelligence reporting on postwar Iraq and based its analysis, therefore, on the regional and country expertise of Intelligence Community analysts and outside experts. Considering these factors, analysts performed well in outlining a range of potential postwar challenges, many of which have occurred in postwar Iraq. Some assessed challenges did not occur or occurred in ways that differed from the assessments and some challenges were not predicted. It is important to note that, although this report treats the removal of Saddam Hussein from power as the

“end” of the war, in reality, the war is not over and events in Iraq, as well as our understanding of those events, continue to evolve. It will likely be many years before we know the end result of several of these issues.

We were also concerned that the conclusions highlighted only certain issues from two ICAs, *Principal Challenges in Post-Saddam Iraq* and *Regional Consequences of Regime Change in Iraq*. By selecting only those issues for the conclusions that seem to be important now, the conclusions distort the picture of what was presented to policymakers in 2003, creating the impression that the issues in the conclusions were the exact issues which policymakers should have focused on in the prewar period. In reality, policymakers would have had to sift through many Intelligence Community assessments that now seem irrelevant to pick out what we now know is important. We believe Roberta Wohlstetter’s account of Pearl Harbor offers insight into this analogous post-war intelligence assessing when she writes:

“It is much easier after the event to sort the relevant from the irrelevant signals. After the event, of course, a signal is always crystal clear; we can now see what disaster it was signaling since the disaster has occurred. But before the event it is obscure and pregnant with conflicting meanings. It comes to the observer embedded in an atmosphere of ‘noise,’ i.e., in the company of all sorts of information that is useless and irrelevant for predicting the particular disaster.”
Roberta Wohlstetter, *Pearl Harbor: Warning and Decision* (Stanford, CA: Stanford University Press, 1962), p. 387.

While we knew that finding areas of agreement on such conclusions would be difficult, we believed that the Committee had an obligation to work to find areas in which we could offer something meaningful. Although we attempted to accommodate the majority as much as possible in order to ultimately vote for this report, enough of what we communicated as our "redline" issues were not adequately addressed to the point of our being able to vote in support of the report. Two of the more significant issues are as follows:

Insurgency

The Committee refused to include a conclusion that said the Intelligence Community did not highlight an insurgency as a potential challenge in postwar Iraq. We believe that if the Committee intended to

select certain judgments from the two ICAs to discuss in the conclusions, it was equally important to discuss any issues that the Intelligence Community did not highlight as a potential challenge in postwar Iraq. The insurgency is one such issue. Considering that an insurgency has become a major development in post-war Iraq, it was important to note the scarcity of its appearance in pre-war assessments.

While the last line on the last page of the Intelligence assessment, *Principal Challenges in Post-Saddam Iraq*, noted that “rogue ex-regime elements could forge an alliance with existing terrorist organizations or act independently to wage guerilla warfare against the new government or Coalition forces,” this was not discussed in any further detail, was not highlighted in either ICA and was not included among the six pages of key judgments in the two papers. If the Intelligence Community had meant to foreshadow or point to an insurgency anywhere near the scale of what we observe today in Iraq, then not only would they have included this point as a key judgment, they would have highlighted it as the first key judgment.

Our interest in a conclusion outlining this issue was not to suggest that the Intelligence Community failed or that an insurgency was even foreseeable, rather it was to ensure that the Committee not did distort the picture of what was presented to policymakers in 2003 by highlighting only those Intelligence Community assessments that have occurred in postwar Iraq.

To the extent that Intelligence Community assessments concerning post-war Iraq were accurate, they were certainly not a “crystal ball.” Many of the warnings lacked detail or specificity that would have guided policymakers and military planners. For example, in terms of how Iraqis would react to a coalition invasion of Iraq, the Intelligence Community’s assessments ranged from judgments stating that segments of Iraqi society (particularly the Shia) would welcome the intervention, to ambivalence, to non-violent opposition, to some level of violent opposition. Most assessments warned that a “long” or “prolonged” occupation of Iraq would have a negative effect on Iraqi attitudes toward the Coalition, but few of them defined even broadly what “long” or “prolonged” meant.

It is also important to keep in mind those Intelligence Community assessments produced before the war which did not discuss or warn. No assessments described the possibility of the use of Improvised Explosive

Devices (IEDs) against coalition troops after the war. There was also no discussion of the large number of ammunition dumps in Iraq and the monumental volume of artillery shells that they contained, and how these shells might be used as IEDs against our troops. Similarly, in the prewar assessments discussion of possible al Qaeda attacks or sectarian tensions, there is no discussion or warning of how spectacular attacks by al Qaeda on targets like markets or the Samara Mosque might be used to spark and fuel sectarian conflict.

Again, our interest in highlighting these issues is not to suggest that the Intelligence Community failed or that these threats were necessarily foreseeable, rather it was to ensure that the Committee did not distort the picture of what was presented to policymakers in 2003.

ICA Distribution List

Our second major concern was the last minute inclusion of 81 pages of named individuals to whom the ICAs were distributed (Appendix D), a troubling departure from past Committee practice. In past reports, both Phase I and Phase II, the Committee chose wisely to leave out the names of individuals who were not department heads or cabinet level officials. Even in cases when the individual had a very public role in certain events, the Committee referred to individuals by title only. This prevented either side from engaging in the temptation to use individuals' names to score political or personal points. The inclusion of Appendix D in the Committee's report without adequate, contextual comment is misleading, because the names on such lists are typically either the principals, staff heads or security managers of a governmental office and there is no way to ensure whether the individuals named on the distribution list actually read the documents sent to their office. Most offices receive thousands of documents and the individual listed as the recipient rarely sees, reads, or even knows about a number of documents sent to them, therefore we cannot infer that because one's name appears on the distribution list that the named individual personally received and/or read the document.

More importantly, a cursory review of the 81 pages of names on these two distribution lists reveals significant errors and misleading information. For example, one intelligence official who is listed as a recipient of the two January 2003 ICAs had left that position five months before the ICA's were published, while another individual is listed as serving in the wrong office.

The document also lists as recipients security directors who are responsible for controlling and distributing these documents, not reading or assessing them. These obvious problems lead us to wonder, what else is incomplete or misleading about this list? Who else is listed that was not an actual consumer of these documents? Who else had left their jobs or gone on a temporary assignment not related to issues concerning Iraq at the time these documents were disseminated? Who was on family or medical leave at the time these documents were disseminated? With the continual coming and going of officials in government, the Intelligence Community does not constantly maintain an accurate list of 81 pages of recipient names, and for the Intelligence Community it is not the names of the individuals that is most important, rather that Intelligence Community products are sent to particular offices throughout the government where numerous individuals in those offices are assigned as action officers to read, digest and summarize them to their principals. One of the reasons we voted to strike the distribution list from the Committee's report was that no one has checked these names to make sure they are an accurate representation of who actually received and had a chance to read these two documents in January 2003. We brought this information to the attention of the Committee arguing that at least we should not release the list before we fact-checked it ourselves; to do so would be to present false and/or inaccurate information to the public and would constitute sloppy work.

We also conveyed our view to the Committee that including such a list adds no value in assessing pre-war intelligence assessments about post-war Iraq, which is supposedly the focus of this report. Unfortunately, the response we received from a number of supporters of this amendment was that Phase II is about policy makers. That simply is untrue, this report is supposed to be about "pre-war assessments about post-war Iraq," not about policy makers, and adding this list evidences a partisan motivation behind the report.

It was most unfortunate that the Majority not only rejected amendments to exclude the names of these government officials, but furthermore by party line vote also rejected mentioning that both the Senate and House Intelligence Committee's received these two reports and rejected including the names of the members of those Committees. For those who believed that this report should be about policy makers, one would think that including our names on this list would comport with such a position. Amazingly, however, in a strictly party-line vote, the Committee voted

against adding the names of our Members to the list. It is astounding to me that the Committee would vote to conceal effectively the names of the members of this Committee from an allegedly exhaustive list of the distribution of the ICAs. What possible reason could there be for concealing the names of the Members of Congress? We believe this vote is one of the most hypocritical measures we have witnessed in our time on the Committee. If the Committee is releasing a lengthy list with the perception that it is exhaustive, then our names should appear on this list too since we received these documents.

Furthermore, what purpose does the inclusion of 81 pages of names in the Committee's report serve? Is it because Scooter Libby is on page one? Or is it because Douglas Feith is on page 15? It seems clear to us that our colleagues who voted to include the distribution list want to suggest that everyone on this list read and ignored the judgments that things were going to be difficult in postwar Iraq. If the Committee members believed it was so important to know whether certain policymakers read these reports and what actions they took based on them, they should have asked for interviews. We assume instead that they will make accusations that certain policymakers "ignored" these assessments without affording those individuals the opportunity to defend themselves.

Such a practice reminds us of an unclassified article titled Collection and Analysis on Iraq: Issues for the US Intelligence Community, published on July 29, 2004 by the "Kerr study group," where the group claimed that IC analysis of postwar Iraq "rested on little hard information, was informed largely by strong regional and country expertise developed over time, and yet was on the mark. Intelligence projections in this area, however, although largely accurate, had little or no impact on policy deliberations." When interviewed by Committee staff, however, the Kerr group said they had no specific knowledge of prewar policy deliberations concerning postwar Iraq. They said they came to their conclusions about the impact of intelligence assessments on policy deliberations solely by reviewing the logs of questions that the Presidential Daily Briefing (PDB) team sent back to the Central Intelligence Agency. The Kerr study group members stated that the lack of questions could also indicate that policy makers read and accepted its judgments without having to ask questions. The Kerr study group members also noted that the log only captures questions that the briefers thought were important or those that could not be answered on the spot by the briefer.

The Kerr study group also told Committee staff that the PDB question logs were only one channel of communication between policymakers and the IC. For example, one of the study group members told Committee staff that:

. . . we don't know how people reacted to each of these documents. And it's important again to realize that we looked at the written, finished product, not telephone calls to CENTCOM and not [the DCI's] briefings to the President, and not somebody's briefing, what they actually said to the Secretary of Defense that day on that piece of information. Unless there was something written about it, we didn't see it.

The Kerr study group also told Committee staff that in producing this report, they did not conduct any interviews, and like the Committee's report, they did not examine any of the raw intelligence reports underlying the finished assessments.

Another report that alleged that policymakers "ignored" intelligence assessments was the February 11, 2005 report to Congress titled, *The DCI's Report on Intelligence Lessons Learned from Military Actions in Iraq*. The authors of this report also based their judgment on the lack of feedback from policymakers on the Intelligence Community products that discussed postwar Iraq. When asked specifically what policymakers the report was referring to, one of the authors said "virtually everyone" and noted specifically that neither the Senate Select Committee on Intelligence nor the House Permanent Select Committee on Intelligence provided any feedback or asked any questions about these documents. Does this mean that the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence "ignored" intelligence assessments that things were going to be difficult in postwar Iraq?

While we certainly dispute the authors' contention that simply because the Committee members did not formally provide questions about these documents that we "ignored" them, such an accusation makes the Committee's refusal to include our own names in the distribution list all the more ironic. This vote, more than any other vote, unfortunately confirmed nagging suspicions concerning the partisan nature of the Committee's Phase II reports which appear to be aimed at assaulting the current Administration. It is our contention that our Committee would do well to put the partisan

chapter of using intelligence oversight for politics behind us, and move forward to the pressing, and numerous, issues that are facing the Intelligence Community and our nation today. The stakes are too high to spin our wheels in political endeavors. We look forward to joining our colleagues in engaging in the serious issues facing our country today, and we trust that soon enough we can focus the full resources of this Committee back on such issues in bi-partisan fashion. The country deserves no less from us.

CHRISTOPHER "KIT" BOND

JOHN WARNER

ORRIN G. HATCH

RICHARD BURR

MINORITY VIEWS OF VICE CHAIRMAN BOND
JOINED BY
SENATORS HATCH AND BURR

While not directly related to the subject of the report released today, it is appropriate here to discuss some additional information that has come to light about an earlier prewar inquiry report by the Committee in July 2004 called "Phase I" that deals with the Iraq-Niger uranium intelligence. This section of the Committee report remains one of the most thoroughly investigated and detailed descriptions of the events and intelligence surrounding the Iraq-Niger uranium issue. The Committee devoted nearly 50 pages of the report to this section alone, in order to provide all of the details of the Intelligence Community's handling of this issue – from October 2001 when the Intelligence Community produced the first intelligence report on the Iraq-Niger uranium deal to July 2003 when the CIA finally produced an assessment that said, "we no longer believe that there is sufficient other reporting to conclude that Iraq pursued uranium from abroad."¹

The vast majority of the Committee's findings were declassified and released in the July 2004 *Report of the Select Committee on Intelligence on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*. It is important to note that while the Committee's report was over 500 pages and covered many issues, the content was reviewed by all members of the Committee in great detail and was voted out unanimously. Nonetheless, nearly three years after the report's release it is apparent that some "experts" and commentators still seem to misunderstand, or choose to ignore, the basic facts surrounding this case. Additional information that became public during the Special Prosecutor's investigation of the Valerie Wilson leak case, some of which had not been provided to the Committee during its investigation, has only reinforced the Committee's findings.

Part of the continuing public and media misunderstanding of this case stems, we believe, from a letter sent to the Committee by former Ambassador Joseph Wilson in July 2004 and subsequently released publicly,

¹ There are two areas of the Iraq-Niger uranium story which were not covered in the Committee's inquiry. The first area was the source of the forged Iraq-Niger uranium deal documents passed to the US government in October 2002. This issue was being investigated by the Federal Bureau of Investigation at the request of then-Vice Chairman Rockefeller. The second area was the exposure of Valerie Wilson's affiliation with the CIA, which was investigated by a special prosecutor.

and from public comments and testimony from Ambassador Wilson and his wife, Valerie Wilson, asserting that the Committee's report contained errors and distortions. We take these charges seriously and believe it is important to outline information, new and old, that explains some of the key issues and supports the Committee's findings.

In July 2004, Ambassador Wilson sent a letter to the Committee in which he declared "not true" a conclusion in additional views of the Chairman and Senators Bond and Hatch that:

The plan to send the former ambassador to Niger was suggested by the former ambassador's wife, a CIA employee.

In his letter to the Committee, Ambassador Wilson took issue with this conclusion although similar text was included in the body of the Committee's unanimous report. (p. 39.) Ambassador Wilson asserted that the Committee's finding appeared to be based on a quoted portion of a memo sent from his wife to her superior that says "My husband has good relations with the PM [prime minister] and the former Minister of Mines (not to mention lots of French contacts), both of whom could possibly shed light on this sort of activity" (p. 39 of the Committee's report.) Ambassador Wilson claims in his letter that this memo shows no suggestion that he be sent on the trip and is "little more than a recitation of his contacts and bona fides." This is not true. The Committee did not release the full text of the document, thinking it was unnecessary in light of the other evidence we provided in the report, but considering the controversy surrounding this document, making the full text available now seems prudent.

SECRET

12 February 2002

MEMORANDUM FOR: [Redacted]
FROM: [Valerie Wilson]
OFFICE: DO/CP/[office 1]
SUBJECT: Iraq-related Nuclear Report Makes a
Splash
REFERENCE:

The report forwarded below has prompted me to send this on to you and request your comments and opinion. Briefly, it seems that Niger has signed a contract with Iraq to sell them uranium. The IC is getting spun up about this for obvious reasons. The Embassy in Niamey has taken the position that this report can't be true – they have such cozy relations with the GON that they would know if something like this transpired.

So, where do I fit in? As you may recall [redacted] of CP/[office 2] recently [2001] approached my husband to possibly use his contacts in Niger to investigate [redacted] [a separate Niger matter]. After many fits and starts, [redacted] finally advised that the Station wished to pursue this with liaison. My husband is willing to help if it makes sense, but no problem if not. End of story.

Now, with this report, it is clear that the IC is still wondering what is going on... my husband has good relationships with both the PM and the former Minister of Mines (not to mention lots of French contacts), both of whom could possibly shed light on this sort of activity. To be frank with you, I was somewhat embarrassed by the Agency's sloppy work last go round and I am hesitant to suggest anything again. However, [my husband] may be in a position to assist. Therefore, request your thoughts on what, if anything to pursue here. Thank you for your time on this.

SECRET
(end memo)

The report mentioned in the opening sentence was a February 5, 2002 CIA Directorate of Operations (DO) intelligence report describing “verbatim text” of a reported Iraq-Niger uranium agreement. The report was forwarded in an e-mail from a CIA reports officer to Mrs. Wilson and a number of other recipients which said that the DO had received a number of calls from the Intelligence Community about the Iraq-Niger uranium report, citing the Department of State’s Bureau of Intelligence and Research (INR), the Defense Intelligence Agency (DIA), and SOCOM, specifically. This likely prompted Mrs. Wilson’s comment that “the IC is getting spun up about this for obvious reasons.” There was no mention in either the reports officer’s e-mail or in Ms. Wilson’s memo (also sent via e-mail) of a request from the Vice President about this matter.

This is significant because the CIA originally told the Committee, and Ambassador and Mrs. Wilson have stated publicly, that it was a question from the Vice President that prompted CIA’s Counterproliferation Division (CIA/CPD) to discuss ways to obtain additional information about the reporting. However, the Committee now knows, based on information released during the Scooter Libby trial, that the Vice President had not even asked about the Iraq-Niger uranium deal until the following day.

Evidence from the Libby trial, numbered exhibit DX66.2, includes a tasking from the Vice President to his CIA briefer which indicates that after being shown a DIA assessment about the February 5, 2002 DO report, the Vice President asked for CIA’s assessment (nb: not an investigation) of the matter. The date of the briefing is noted as February 13, 2002, the day after Mrs. Wilson’s memo to her superiors.

While it may be possible that the Vice President’s query is what led to the ultimate decision to use Ambassador Wilson to attempt to uncover additional information about the alleged Iraq-Niger uranium deal, it is clear from the dates of these two documents that CIA/CPD was discussing ways to seek additional information, including the possibility of using Ambassador Wilson to look into the deal, before the Vice President asked about the reporting.

Additional information also supports the Committee's finding that Mrs. Wilson is the one who originally suggested Ambassador Wilson to look into the Iraq-Niger uranium matter. Page 39 of the Committee's Phase I report noted that a CIA/CPD reports officer told the Committee staff that Mrs. Wilson "offered up" her husband's name. In Ambassador Wilson's letter to the Committee he claims that "the reports officer has a different conclusion about Valerie's role than the one offered in the "additional views." In recent public testimony before the House Committee on Oversight and Government Reform, Mrs. Wilson has also claimed that a memorandum from the reports officer written after he read the Committee's report "absolutely" contradicts the report, that he sought to be reinterviewed by the Committee, and that his words has been "twisted and distorted" by the Committee. None of these claims are true.

Committee staff had the opportunity to review the reports officers' "memorandum" (actually a letter addressed to Mrs. Wilson but apparently never sent) which says only that the reports officer's remarks about Ambassador Wilson's trip were "truncated" in the Committee's report. He cited two specific issues that the Committee did not include: his comments that he believed Mrs. Wilson had acted appropriately and that the reports officer "pushed for the trip" himself. The reports officer's letter does not say that the Committee twisted or distorted his words, does not contradict the Committee's finding that Mrs. Wilson is the one who suggested her husband, does not retract his comments to the Committee that she "offered up" her husband's name, and does not state that he would like to be re-interviewed by the Committee. Based on information and documents made available to the Committee, we have no reason to believe that the reports officer sought to be re-interviewed or that CIA prevented him from being re-interviewed.

The Committee interviewed nearly 300 people for the Phase I report and most interviews averaged between one to two hours. The Committee staff interviewed this reports officer for nearly an hour and a half. Obviously not all of his remarks, nor the entirety of the remarks of the other several hundred interviewees, could or needed to be included in the report. The Committee believed, as we still do, that the comment quoted in the report in response to a question about any substantive role Mrs. Wilson played in her husband's trip to Niger in 2002 accurately summarized his remarks. The reports officer's full remarks about the issue were:

Let me speak to what I know of where she is substantively involved. She offered up his name as a possibility, because we were – we didn't have much in the way of other resources to try and get at this problem, to the best of my knowledge. And so whenever she offered up his name it seemed like a logical thing to do. I didn't make the decision to send him, but I certainly agreed with it, I recommended that he should go.

He later added:

I'd like to state emphatically that, from what I've seen, Val Wilson has been the consummate professional through all this. From the very start, whenever she mentioned to me and some others that her husband had experience and was willing to travel but that she would have to step away from the operation because she couldn't be involved in the decisionmaking to send him, in [his] debriefing, [in] dissem[inating] the report and those kinds of things, because it could appear as a conflict of interest.

The Committee report never stated or implied that Mrs. Wilson's suggestion to her colleagues that her husband may be able to look into the Iraq-Niger uranium matter was inappropriate in any way, obviating the need to include the reports officer's comments that her role was "professional." In fact, a conclusion on page 25 of the Phase I report noted that "the Committee does not fault the CIA for exploiting the access enjoyed by the spouse of a CIA employee traveling to Niger. The Committee believes, however, that it is unfortunate, considering the significant resources available to the CIA, that this was the only option available."

In addition, the Committee report noted that it was a CIA/CPD decision ultimately to send Ambassador Wilson to Niger. The Committee report never claimed that Mrs. Wilson made the decision to send him, only that she suggested him.

In addition to the memo and reports officer's testimony described above, the Committee considered Mrs. Wilson's testimony to the CIA Inspector General. The Inspector General testified before our Committee that Mrs. Wilson "made the suggestion" that Ambassador Wilson could look into the Iraq-Niger uranium matter. Additional information recently made

available to the Committee indicates that this information came from Mrs. Wilson's own testimony to the CIA Inspector General.

Yet, Mrs. Wilson testified before the House Committee on Government Oversight and Reform on March 16, 2007 that, "I did not recommend him. I did not suggest him." Mrs. Wilson told the House Committee that a young junior officer in CIA/CPD received a phone call from someone in the Office of the Vice President asking about the alleged sale of uranium from Niger to Iraq. Mrs. Wilson testified that while she was talking to the junior officer, another officer heard this and suggested, "well, why don't we send Joe?"

This testimony was of great interest to us because during a nearly hour long interview with Mrs. Wilson in which Committee staff asked specifically what led CIA/CPD to think about sending someone to Niger and how it was that her husband's name came up, Mrs. Wilson never provided the story she provided to the House Committee. Rather, Mrs. Wilson told the Committee staff, "I honestly do not recall if I suggested it or my boss, who knew my husband and what he had done for us previously, my boss at the time being the head of the whole task force, during a brainstorming session suggested well, what about your husband, Ambassador Wilson, would he be willing to consider this." When asked specifically if she remembered whether she suggested her husband's name, she said "I honestly do not."

Mrs. Wilson told the CIA Inspector General that she suggested her husband for the trip, she told our Committee staff that she could not remember whether she did or her boss did, and told the House Committee, emphatically, that she did not suggest him.

Mrs. Wilson's role in her husband's trip was not limited merely to suggesting him. Notes from a State INR analyst, who participated in a February 19, 2002 meeting to discuss CIA/CPD's proposal to send Wilson to Niger, state that the meeting was "apparently convened by Valerie Wilson, a CIA WMD managerial type and the wife of Amb. Joe Wilson, with the idea that the agency and the larger USG could dispatch Joe to Niger." While Mrs. Wilson stayed at the meeting only long enough to introduce her husband, a CIA operations cable confirms the INR notes that she did convene the meeting. The cable, inviting Intelligence Community participants to the meeting, says that the "meeting was facilitated by [Mrs.

Wilson.]” According to her testimony before the House Committee, she did not tell the analysts who attended the meeting that she was under cover stating that she “believed they would have assumed as such.” Apparently they did not “assume” she was under cover because the INR notes did not mark her name with a (C) as would be required to indicate that her association with the CIA was classified.

In addition, Mrs. Wilson drafted a cable that was sent overseas requesting concurrence with Ambassador Wilson’s travel to Niger. While Ambassador Wilson suggested in his letter to the Committee and in his book that the question of him traveling to Niger was first broached during the February 19, 2002 meeting, the cable drafted by Mrs. Wilson was sent nearly a week earlier, on February 13, only one day after Mrs. Wilson’s memo suggesting that her husband might be willing to look into the Niger matter. Interestingly the cable states that “both State and DOD have requested additional clarification [of the Niger-Iraq uranium report] and indeed, the Vice President’s office just asked for background information” The cable was dated and time stamped 132142Z Feb 02, which is February 13, 2002 at 3:42 pm DC time. If the Vice President’s office “just asked” it could not have been before Mrs. Wilson’s e-mailed memo to her superior suggesting her husband for the Niger inquiry which was sent February 12, 2002.

Ambassador Wilson’s implicit claim that the question of him traveling to Niger arose first at the February 19, 2002 meeting is also refuted by an intelligence memorandum provided to the Vice President on February 14, 2002 that stated that CIA had tasked a clandestine source with ties to the Nigerien government to seek additional information on the contract. Unless the CIA provided false information to the Vice President, CIA had already tasked Ambassador Wilson, the only source the CIA had other than the foreign liaison service, by the morning of February 14, 2002. In addition, Mrs. Wilson’s own testimony to the Committee states that she went home and asked her husband if he would be consider looking into the Niger reporting. Contrary to Ambassador Wilson’s allegations, the idea of sending him to Niger had been discussed in and among CIA officers for nearly a week before the February 19, 2002 meeting.

Ambassador Wilson’s letter to the Committee stated that it is unfortunate that the Committee failed to include the CIA’s position on this matter, citing press comments from “a senior CIA official” and “a senior

intelligence officer” who support Wilson’s account that his wife did not propose him for the trip. We have been on this Committee long enough to know that leaks from CIA sources and unnamed senior officials do not represent CIA’s official position and are certainly not the definitive word from the CIA. Furthermore, our Committee did seek an official response from the CIA. The response after conferring with CIA/CPD was “we do not recall specifically who surfaced [Ambassador Wilson’s] name.” Our Committee wisely chose to use the findings of the CIA Inspector General, our own interviews, and a thorough review of documents for our fact base to determine what CIA/CPD could not.

Ambassador Wilson’s letter also took issue with the conclusion in the additional views of Chairman Roberts and Senators Hatch and Bond which said:

Rather than speaking publicly about his actual experiences during his inquiry of the Niger issue, the former ambassador seems to have included information he learned from press accounts and from his beliefs about how the Intelligence Community would have or should have handled the information he provided.

The Committee report included several examples including his comments in a June 12, 2003 Washington Post story² by Walter Pincus which said, “among the envoy’s conclusions was that the documents may have been forged because ‘the dates were wrong and the names were wrong;’” his comments asserting that the Vice President had been briefed on his findings; and press stories, for which he appeared to be an anonymous source, that claimed his findings “debunked” the Niger-Iraq uranium story.

In his letter to the Committee, Ambassador Wilson took issue with this conclusion and asserted that his first “public statement” was in his *New York Times* op-ed on July 6, 2003.³ He says that in this and his other public comments, he stated clearly that he never saw the documents, that he claimed “only that the transaction described in the documents that turned out to be forgeries could not have occurred and did not occur,” and that he

² Pincus, Walter, “CIA Did Not Share Doubt on Iraq Data; Bush Used Report of Uranium Bid,” *The Washington Post*, June 12, 2003.

³ Wilson, Joseph, “What I Didn’t Find In Africa,” *The New York Times*, July 6, 2003.

“never claimed to have ‘debunked’ the allegation that Iraq was seeking uranium from Africa.”

Yet, Ambassador Wilson acknowledged to our Committee staff that he was the source of the June 12, 2003 *Washington Post* story in which he also claimed that the documents may have been forged and that the names and dates were wrong. In addition, a May 6, 2003 *New York Times* opinion piece by Nicolas Kristoff, in which Ambassador Wilson appears to be the source, says that the “envoy reported to the CIA and State Department that the information was unequivocally wrong and that the documents had been forged.”⁴ Kristoff added that the “envoy’s debunking of the forgery was passed around the administration.” Perhaps Mr. Kristoff and Mr. Pincus misunderstood the Ambassador’s comments, or perhaps Ambassador Wilson is making a distinction between speaking out under his own name and speaking out as an anonymous source to the *Washington Post* and the *New York Times* with circulations of several million readers.

As for Ambassador Wilson’s claim that he stated clearly in his *New York Times* op-ed that he did not have access to the actual memorandum that discussed the Niger-Iraq uranium deal, this is true, but not surprising. This admission came only *after* our Committee staff interviewed him and confronted him about the inconsistencies in his previous comments to reporters. It was during this interview with Committee staff that Ambassador Wilson asserted that he may have been confused about his own recollections after the International Atomic Energy Agency reported in March 2003 that the names and dates on the documents on the documents were wrong. We agree that Ambassador Wilson is confused.

Ambassador Wilson’s letter also comments on two reports disseminated in the Intelligence Community by then-Ambassador to Niger Barbro Owens-Kirkpatrick. One report was based on her own meeting with Nigerien officials and another based on a meeting between General Carlton Fulford, who was accompanied by the Ambassador, and the Nigerien president. Ambassador Wilson has claimed in his book and in numerous public appearances that these reports indicated that there was nothing to the Niger-Iraq uranium story. Mrs. Wilson also said this in her testimony to the House Committee on Oversight and Government Reform. This too is untrue.

⁴ Kristoff, Nicholas, “Missing in Action: Truth,” *New York Times*, May 6, 2003.

Contrary to these claims, then-Ambassador to Niger Barbro Owens-Kirkpatrick wrote a cable to State Department headquarters which said that the CIA report of a Niger-Iraq uranium deal “provides sufficient details to warrant another hard look at Niger’s uranium sales.” The cable reported that the Ambassador sought an unequivocal assurance from the Nigerien government that Niger would not sell uranium to rogue states. The cable noted that in September 2001 the Nigerien Prime Minister told embassy officials that “there were buyers like Iraq who would pay more for Niger’s uranium than France,” but added “of course Niger cannot sell to them.” The Ambassador told the prime minister that such a sale would be wrong and disastrous for Niger’s relations with the US. The cable said in a meeting on the 19th, Nigerien officials did not raise the issue or provide the requested assurances. The cable concluded by noting that despite past assurances from the Nigerien president that no uranium would be sold to rogue nations, “we should not dismiss out of hand the possibility that some scheme could be, or has been, underway to supply Iraq with yellowcake from here” (p. 40). The cable said that while “it would seem politically suicidal for [the Prime Minister] to embark on a risky venture like uranium sales to Iraq” and “would seem out of character” for the Nigerien president, “we must make sure.”

General Fulford did not undertake an inquiry into the Iraq-Niger uranium matter at all. He was encouraged by Ambassador Owens-Kirkpatrick to use a previously scheduled refueling stop to raise the general issue of ensuring the peaceful use of Niger’s uranium with the Nigerien President. The embassy reported on February 24, 2002, that at a meeting the same day, the Nigerien President told the Ambassador and General Fulford that Niger’s goal was to keep its uranium in safe hands. General Fulford extended an offer on behalf of the US government to work with Niger to ensure its uranium was used for peaceful purposes only and did not fall into the wrong hands. The Nigerien President told General Fulford that “Niger’s uranium is secure for the moment” and asked for unspecified US help to ensure its safety.

Neither of these reports resolved the question of whether Iraq was seeking uranium from Niger and neither discounted the reporting. In fact, Ambassador Owens-Kirkpatrick’s first cable raises, more than discounts, concern about the potential deal noting that “we should not dismiss out of hand the possibility that some scheme could be, or has been, underway” and

providing the Prime Minister's comment that "buyers like Iraq" would pay more for Niger's uranium. The second cable did not address the alleged Iraq deal at all.

When Ambassador Wilson returned from Niger, the information he reported also did nothing to resolve the question of whether Iraq was seeking uranium from Niger, despite his claims to the contrary. The Committee interviewed every analyst involved in the analysis of this issue. These analysts told the Committee that the information from his report, if anything, merely reinforced their existing views, whatever those views were. The analysts consistently told Committee staff that they did not think the report outlining Ambassador Wilson's findings clarified the story or added a great deal of new information. For most analysts, the report lent more credibility, not less, to the reporter Niger-Iraq uranium deal. These analysts said that they were not surprised to read that Nigerien officials denied discussing uranium sales with Iraq because they had no expectation that they would admit to such discussions. These analysts did find it interesting that the former Nigerien Prime Minister acknowledged that an Iraqi delegation has visited Niger for what he believed was to discuss uranium sales, according to the Committee's report.

In addition to these comments from analysts, a CIA memorandum released during the Scooter Libby trial supports the Committee's findings, noting that "no definitiveness could be assigned to the [Wilson] report."

The Committee stated on page 46 of our report that because CIA analysts did not believe that the report added any new information to clarify the issue, they did not use the report to produce any further analytical products or highlight the report for policymakers. For the same reason, the Vice President's CIA briefer did not brief the Vice President about the report. The CIA Inspector General confirmed this account in testimony before the Committee in which he stated:

His [the Vice President's] briefer has told us that what was learned on this subject simply didn't rise to a level where it met the threshold that they would go back and give him an account even of what little was known. There being no news, they didn't take his time with it.

In his letter to the Committee, Ambassador Wilson cited several examples from the Committee's report which he said contradict a conclusion on the additional views that, for most intelligence analysts, his findings lent more credibility, not less, to the original Niger-Iraq uranium reporting. While nearly all of the citations in his letter are correctly noted as instances in which the CIA did not use the uranium reporting or said the reporting was not key to Iraq's nuclear ambitions, Ambassador Wilson is wrong in two respects. First, the conclusion that his findings lent more credibility to the Niger-Iraq uranium reporting was a unanimous conclusion of the entire Committee, not just in Republican additional views. Second, he is mistaken in ascribing a correlation between these instances and his own findings. In fact, none of these instances had anything to do with Ambassador Wilson's findings in Niger. The INR analysts he cited believed the Niger-Iraq uranium reporting was unlikely to be true before Ambassador Wilson went on this trip. The CIA NESA analysts were not the CIA's primary Iraq WMD analysts and knew very little about the Niger reporting at all. Their assessments did not discount the reporting, they simply did not include it. Most of the other instances Ambassador Wilson cited, including CIA testimony to Congress and the DCI's caution against the President using the information in the Cincinnati speech, were based on a misunderstanding within the CIA. This misunderstanding was explained in the Committee's unanimous conclusions.

Ambassador Wilson also neglected to mention in his letter that the Intelligence Community used or cleared the Niger-Iraq uranium intelligence *fifteen* times before the President's State of the Union address and four times *after*, saying in several papers that Iraq was "vigorously pursuing uranium from Africa." As late as March 2003, even after the IAEA found that the documents themselves were "not authentic," and while noting that the CIA had questions about some specific claims in the original intelligence reporting, the CIA still reported that, "we are concerned that these reports may indicate Baghdad has attempted to secure an unreported source of uranium yellowcake for a nuclear weapons program."

It was not until April 5, 2003 that the National Intelligence Council issued an Intelligence Community assessment finally saying, "we judge it highly unlikely that Niamey has sold uranium yellowcake to Baghdad in recent years."⁵ It was not until June 17, 2003 that the CIA produced an

⁵ Several press stories have claimed that similar language appeared in a National Intelligence Council (NIC) assessment, from the Africa National Intelligence Officer (NIO) in January 2003 prior to the State of

internal memorandum for the DCI which said, “since learning that the Iraq-Niger uranium deal was based on false documents earlier this spring, we no longer believe that there is sufficient other reporting to conclude that Iraq pursued uranium from abroad.” That was June 2003, not March 2002 as Ambassador Wilson would have you believe.

We consider most aspects of the Niger-Iraq uranium matter closed – Mrs. Wilson clearly suggested her husband for the trip to Niger, neither Ambassador Wilson’s report, nor the reports from Ambassador Owens-Kirkpatrick resolved the Niger-Iraq uranium reporting, the Vice President was never briefed on Ambassador Wilson’s findings because CIA believed the findings did not clarify the issue, and the Niger-Iraq uranium reporting was cleared, by the CIA, for use in the President’s State of the Union address.

One area of inquiry which now seems to be unresolved is why Mrs. Wilson provided different testimony to the CIA Inspector General, our Committee staff, and the House Committee on Oversight and Government Reform. The account of a discussion among three colleagues about a phone call from the Vice President is new to us, and apparently new to the CIA which has been unable to find the alleged participants. Still, it is a story worth exploring. For that reason, Senator Bond has written to the CIA seeking interviews with the individuals involved, including a re-interview with Mrs. Wilson. We hope that these witnesses will enable us to tie up these loose ends once and for all.

In the meantime, because so much confusion remains about these issues and because most of the Committee’s conclusions in its July 2004 report, including several conclusions that may alleviate some of this confusion, were never fully declassified, we believe it is important to submit some of those conclusions for declassification now. The three conclusions, unanimously adopted by the full Committee, which explain: the lack of impact that Ambassador Wilson’s findings had on Intelligence Community judgments; the fact that the CIA never informed the Vice President about Ambassador Wilson’s findings; and the misunderstanding within the CIA that led the DCI to suggesting striking the Niger-Iraq uranium information from the President’s Cincinnati speech, are reprinted below. We intend to

the Union. This is not correct. The April 2003 paper cited here is the only one prepared by the Africa NIO, according to the CIA. The only other NIC products disseminated prior to April 2003 said Iraq was “vigorously pursuing uranium from Africa.”

seek declassification of the remaining Niger conclusions and the rest of the conclusions from the Committee's Phase I report separately.

Conclusion 13. The report on the former ambassador's trip to Niger, disseminated in March 2002, did not change any analysts' assessments of the Iraq-Niger uranium deal. For most analysts, the information in the report lent more credibility to the original Central Intelligence Agency (CIA) reports on the uranium deal, but State Department Bureau of Intelligence and Research (INR) analysts believed that the report supported their assessment that Niger was unlikely to be willing or able to sell uranium to Iraq.

The report on the former ambassador's trip to Niger did not change any analysts' assessments of the Iraq-Niger uranium deal. Those who assessed the Iraq-Niger uranium deal was credible prior to the former ambassador's report, continued to believe it was credible. Analysts who assessed the deal was unlikely, continued to believe it was unlikely. While INR analysts believed that the report corroborated their position that Niger was unlikely to be willing or able to sell uranium to Iraq, most analysts thought the information in the report lent more credibility to the original intelligence reports on the alleged uranium deal. In particular, analysts highlighted a meeting request by a Nigerien-Algerian businessman on behalf of an Iraqi delegation. The businessman told a former Nigerien Prime Minister that the Iraqi delegation wished to discuss "expanding commercial relations" with Niger. The former Prime Minister interpreted this request to mean that the delegation was interested in purchasing uranium. The report noted that "although the meeting took place, the [Prime Minister] let the matter drop due to the United Nations (UN) sanctions on Iraq." Although the report lacked important details, such as who participated in the meeting and what was actually discussed at the meeting, the report added to most Intelligence Community analysts' concerns about Iraqi interest in uranium from Niger. These analysts told Committee staff that they did not expect the former Nigerien officials to admit to entering into a uranium deal with rogue nations so they were not surprised that the report said the former Nigerien officials were unaware of any uranium contracts that had been signed with rogue nations.

After the report on the former ambassador's trip was disseminated, Intelligence Community agencies wrote intelligence products or cleared language indicating that Iraq was attempting to acquire uranium from Niger

or Africa fifteen times prior to the President's State of the Union speech and four more times following the speech.

Conclusion 14. The Central Intelligence Agency should have told the Vice President and other senior policymakers that it had sent someone to Niger to look into the alleged Iraq-Niger uranium deal and should have briefed the Vice President on the former ambassador's findings.

In February 2002, after the Vice President and officials in the Departments of State and Defense raised questions about Central Intelligence Agency (CIA) reports of alleged Iraqi efforts to purchase uranium from Niger, the CIA's Directorate of Operations (DO) made an effort to respond by sending a former ambassador to Niger to look into the issue. The agency did not tell these senior policymakers that the former ambassador had been sent. Following the trip, the DO notified analysts within the CIA's Directorate of Intelligence (DI) of the former ambassador's findings. Although the Vice President had asked his CIA morning briefer twice for additional information about this issue prior to the trip, and the CIA had noted in its assessment to the Vice President and others that the agency was working to clarify and corroborate information on the issue, the CIA never briefed the Vice President on the former ambassador's findings or told the Vice President that such a trip had been undertaken. Because of the level of policymaker interest in this issue, such information should have been passed along, regardless of the DI analysts' assessments of the substance or utility of the information.

Conclusion 20. The Central Intelligence Agency's (CIA) comments and assessments about the Iraq-Niger uranium reporting were inconsistent and, at times contradictory. These inconsistencies were based in part on a misunderstanding of a CIA Weapons Intelligence, Nonproliferation, and Arms Control Center (WINPAC) Iraq analyst's assessment of the reporting. The CIA should have had a mechanism in place to ensure that agency assessments and information passed to policymakers were consistent.

At a video teleconference (VTC) with the British, the CIA WINPAC Iraq analyst suggested that the British not use the information on Iraqi attempts to procure uranium from Africa in their white paper because he believed there were better examples of Iraq's efforts to reconstitute its nuclear program and because the reports were unconfirmed. Following the

VTC, another analyst from the CIA's Office of Near East and South Asia (NESA) prepared consolidated agency comments on the white paper to send to the British. Based on his understanding of the WINPAC analyst's comments, the NESA analyst wrote "recommend deleting sentence on 'compelling evidence that Iraq has sought the supply of uranium from Africa'. . . we don't view this reporting as credible." The WINPAC analyst told Committee staff, however, that these were never his comments. Documentation also shows that immediately after these comments were passed to the British, the WINPAC analyst denied saying that the Iraq-Niger reporting was not credible. The analyst said he suggested that the British not include the reporting on the Niger deal because it was unconfirmed and was not the strongest evidence of reconstitution.

The Committee believes that in attempting to summarize the WINPAC analyst's comments, the NESA analyst said the reporting was not viewed as credible, but that this was a misinterpretation of the WINPAC analyst's comments. Neither this analyst nor any other CIA Iraq analysts who had analyzed the Niger uranium reporting told Committee staff that at the time they coordinated the British white paper they viewed the reporting as not credible. In fact, each of these analysts told Committee staff that until at least March 2003 they believed that Iraq was seeking uranium from Africa.

The misinterpretation of the WINPAC analyst's comments led to inconsistencies in the CIA's message to policymakers on the Iraq-Niger uranium issue throughout the fall of 2002 and into early 2003. Intelligence Community officials who were provided with information from the NESA analyst told policymakers that the reporting was not credible. For example, at a Senate Select Committee on Intelligence hearing on October 2, 2002 the Deputy Director of Central Intelligence testified that "the one thing where I think [the British] stretched a little bit beyond where we would stretch is on the points about Iraq seeking uranium from various African locations. We've looked at those reports and we don't think they are very credible." The NESA analyst who misinterpreted the WINPAC analyst's comments prepared the DDCI for the hearing. The CIA told the Committee that this analyst believes he was also the analyst who raised concerns about the Iraq-Niger uranium reporting being used in the President's Cincinnati speech and that it was his comments that led the DCI to call the National Security Council (NSC) and suggest that the uranium reference be removed. This analyst had not performed an analysis of the Iraq-Niger uranium reporting

himself and was simply passing along what he believed was his WINPAC colleague's analysis of the reporting.

Throughout this time, CIA's WINPAC analysts continued to use the Iraq-Niger uranium reporting in intelligence assessments and approve the use of similar language for Administration speeches and publications. From the time the NESA analyst's comments were sent to the British until the President's State of the Union speech, the CIA and National Intelligence Council (NIC) staff had coordinated on the National Intelligence Estimate, cleared language in six policy speeches or documents for the White House and Department of State, and used language in four of CIA's own publications that all noted Iraq's attempts to acquire uranium from Africa or abroad.

The Committee believes that it was the initial misinterpretation of the WINPAC analyst's comments during coordination of the British white paper that led to mixed and inconsistent messages being passed to senior policymakers. While clearly this was an unintentional error, there should have been some mechanism in place within the CIA to ensure that different CIA analysts were not providing different assessments, to policymakers and that assessments in finished intelligence products provided a consistent message.

CHRISTOPHER "KIT" BOND
ORRIN G. HATCH
RICHARD BURR

MINORITY VIEWS OF SENATOR CHAMBLISS JOINED BY SENATORS HATCH AND BURR

The Vice Chairman's additional views accurately describe many of my concerns with the nature and structure of this report. For these reasons, I join in his views. However, unlike the Vice Chairman, I would not have set aside some of my concerns with this report merely for the sake of compromise. When conducting an investigation, I believe the Committee has an obligation to provide meaningful conclusions after a thorough review. I do not believe this was accomplished here. In no case should this obligation be compromised merely for the sake of consensus. Regrettably, this report does not provide meaningful conclusions nor is it the fruits of a thorough review.

As the Vice Chairman articulates, this report offers no investigative insight. The "conclusions" offered are merely restatements of selected text from two Intelligence Community Assessment's (ICA), *Principal Challenges in Post-Saddam Iraq* and *Regional Consequences of Regime Change in Iraq*. Without making judgments about the accuracy or reasonableness of the ICA's, the Committee's "conclusions" are no better than a summary of the reports. Although, even a summary usually includes the main points of a document. Here, the Committee selected the points it wished to highlight, and not necessarily the main points. These reports, fully unclassified, are included in Appendices A and B of this report. Anyone reading this report may review the primary documents. It is meaningless for the Committee to selectively highlight some text from these reports since they are included in full in appendices. Like the Vice Chairman, I do not see that these "conclusions" provide any value to the reader.

As the Vice Chairman also points out, the lack of a unique intelligence fact base behind the Intelligence Community's assessments in these reports means that they were no more authoritative or insightful than many other educated opinions, including those of Members of Congress. For the Committee to review these papers and highlight only those portions of the text that reflect issues that have arisen since the start of the conflict in Iraq, is misleading. Again, I support the Vice Chairman's comments on this point.

In addition, I supported the Vice Chairman's amendment to include the members of the Senate Select Committee on Intelligence and the House

Permanent Select Committee on Intelligence in the list of recipients of the two ICAs. I was disappointed to see my colleagues vote against such a non-partisan issue. I support fully the Vice Chairman's additional comments regarding the appropriateness and hypocrisy of this action by the Committee. Members of Congress are policymakers and are privy to the Intelligence Community's analysis when making policy decisions—such as the decision to authorize the President to use force against Iraq. If anyone is being accused of making policy decisions in a vacuum based on receiving but disregarding these two ICAs, then Congress should be held to the same standard. Effective oversight requires Congress to hold ourselves to the same standards that we demand from the Executive branch.

Aside from my concerns with this report, I believe that much of the Committee's Phase II investigation is a fruitless effort. Any investigation that the Senate Select Committee on Intelligence (SSCI) conducts should be done with the intention of improving the Intelligence Community and enhancing our national security. This Committee did just that in July of 2004, when the Committee unanimously adopted its report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq. This report led to much needed reform in the Intelligence Community and increased Congressional oversight. Regrettably, the present report neither improves our Intelligence Community nor enhances our national security.

I voted, along with the rest of the Committee, to authorize Phase II of this Committee's inquiry regarding the prewar intelligence on Iraq. My vote was based primarily on being able to vote out and approve a large portion, proving so far to be the only substantive portion, of the inquiry with the Committee's Phase I report while satisfying the further concerns of some members of this Committee. As Phase II continues, I see the Committee's resources wasted on an examination of past events meant to point fingers rather than improve our Intelligence Community.

SENATOR SAXBY CHAMBLISS
SENATOR ORRIN G. HATCH
SENATOR RICHARD BURR

COMMITTEE ACTION

Amendments to draft report, Prewar Intelligence About Postwar Iraq

On May 8, 2007, by a vote of 5 ayes and 10 noes, the Committee rejected an amendment by Vice Chairman Bond to strike Appendix D. The votes in person or by proxy were as follows: Chairman Rockefeller – no; Senator Feinstein – no; Senator Wyden – no; Senator Bayh – no; Senator Mikulski – no; Senator Feingold – no; Senator Nelson – no; Senator Whitehouse – no; Vice Chairman Bond – aye; Senator Warner – aye; Senator Hagel – no; Senator Chambliss – aye; Senator Hatch – aye; Senator Snowe – no; Senator Burr – aye.

On May 8, 2007, by a vote of 7 ayes and 8 noes, the Committee rejected an amendment by Vice Chairman Bond to add to Appendix D a list of Senate Select Committee on Intelligence and House Permanent Select Committee on Intelligence members in January 2003. The votes in person or by proxy were as follows: Chairman Rockefeller – no; Senator Feinstein – no; Senator Wyden – no; Senator Bayh – no; Senator Mikulski – no; Senator Feingold – no; Senator Nelson – no; Senator Whitehouse – no; Vice Chairman Bond – aye; Senator Warner – aye; Senator Hagel – aye; Senator Chambliss – aye; Senator Hatch – aye; Senator Snowe – aye; Senator Burr – aye.

On May 8, 2007, by a vote of 5 ayes and 10 noes, the Committee rejected an amendment by Vice Chairman Bond to insert a new conclusion that the Intelligence Community did not highlight an insurgency as a likely challenge for an occupying force in Iraq. The votes in person or by proxy were as follows: Chairman Rockefeller – no; Senator Feinstein – no; Senator Wyden – no; Senator Bayh – no; Senator Mikulski – no; Senator Feingold – no; Senator Nelson – no; Senator Whitehouse – no; Vice Chairman Bond – aye; Senator Warner – aye; Senator Hagel – no; Senator Chambliss – aye; Senator Hatch – aye; Senator Snowe – no; Senator Burr – aye.

Adoption of the report on Prewar Intelligence About Postwar Iraq.

On May 8, 2007, by a vote of 10 ayes and 5 noes, the Committee agreed to adopt the report on Prewar Intelligence About Postwar Iraq. The votes in person or by proxy were as follows: Chairman Rockefeller – aye; Senator Feinstein – aye; Senator Wyden – aye; Senator Bayh – aye; Senator

Mikulski – aye; Senator Feingold – aye; Senator Nelson – aye; Senator Whitehouse – aye; Vice Chairman Bond – no; Senator Warner – no; Senator Hagel – aye; Senator Chambliss – no; Senator Hatch – no; Senator Snowe – aye; Senator Burr – no.